

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

SHELIA BEATY

PLAINTIFF

vs.

No. 3:04CV92-D-A

KAWASAKI MOTORS CORPORATION, U.S.A.;
and TUPELO POWERSPORTS

DEFENDANTS

ORDER GRANTING MOTION FOR SUMMARY JUDGMENT

Pursuant to an opinion issued this day, it is hereby ORDERED that

- (1) the Defendant Kawasaki Motors Corporation, U.S.A.'s motion for summary judgment (docket entry 15) is GRANTED;
- (2) the Defendant Tupelo Powersports is DISMISSED for failure of the Plaintiff to prosecute her claims by failing to serve process on this Defendant during the fourteen month pendency of this cause;
- (3) the Plaintiff's claims are DISMISSED; and
- (4) this case is CLOSED.

All memoranda, depositions, declarations and other materials considered by the court in ruling on this motion are hereby incorporated into and made a part of the record in this action.

SO ORDERED, this the 28th day of June 2005.

/s/ Glen H. Davidson
Chief Judge